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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/233,860 01/20/99 HUTCHINSON

S BVIEW: 154

EXAMINER

TM21/0508

ARTHURSON, J.W PAPER NUMBER

D.C. TOEDT III
BINDVIEW DEVELOPMENT CORPORATION
5151 SAN FELIPE, 21ST FLOOR
HOUSTON TX 77056

DATE MAILED:

17

05/08/01

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

17

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Please see attached Notice of Defective Brief

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 C.F.R.

1.192(c)

The brief does not contain a statement of the status of all the claims, pending or canceled, and identify the claims appealed as required by 37 C.F.R. 1.192(c)(3). Specifically, Appellant has stated that "Claims 1-3, 5-8, 9-13, and 15-24 are pending in the application". Appellant later states that claim 17 has been canceled. The usual practice is not to Appeal claims that have been canceled.

The brief does not contain a concise statement of the issues presented for review as required by 37 C.F.R. 1.192(c)(6). Specifically, Appellant has stated that "Are claims 1-3, 5-8, 9-13, and 15-24 properly rejected...?". This is incorrect since the listing of claims on Appeal is not correct.

The brief does not contain a copy of the claims involved in the appeal in the Appendix. Specifically, Claim 2 is not the same claim as finally rejected [paper # 8]. Claim 2 is now dependent on itself.

Appellant is required to comply with provisions of 37 C.F.R. 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 C.F.R. 1.192(c) within the longest of any of the following

TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 C.F.R. 1.191. Extensions of these time periods may be granted under 37 C.F.R. 1.136.

William D. Thomson

Patent Examiner

A.U. 2123



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